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**SUPPLEMENTAL MATERIAL  
SEPTEMBER 10, 2003  
CITY COMMISSION MEETING**

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**C7 – Resolutions**

- C7B A Resolution Authorizing And Approving The Mayor And City Clerk To Execute Amendment No. 1 To The City's Agreement With The Firm Of Williams, Hatfield And Stoner, Inc., D/B/A Tetra Tech WHS, For The Design Of The Right Of Way Infrastructure Improvements Program Neighborhood 4 – Normandy Isle And Normandie Sud; By Increasing The Not To Exceed Fee By \$50,529 To Provide For Additional Services Required For Relocating Water Main Service Locations; And Appropriating Funds Therefore In The Amount Of \$50,529 From The Series 2000 Water And Sewer Revenue Bond Fund. (Page 110)  
(Capital Improvements)  
**(Resolution & Agreement)**
- C7F A Resolution Accepting The Recommendation Of The City Manager Pertaining To The Ranking Of Proposals Received Pursuant To Request For Proposals (RFP) No. 35-02/03, For The Purchase Of A Parking Management Software; Authorizing The Administration To Enter Into Negotiations With The Firm Of T-2 Systems For The Purchase Of A Parking Management Software; And If Negotiations Are Successful, Authorize The Mayor And City Clerk To Execute An Agreement With T-2 Systems; Further Appropriating \$184,000 From Parking Revenue Bond Fund 481 And The Establishment Of A Work Order For The Project. (Page 186)  
(Parking)  
**(Resolution)**
- C7G A Resolution Ratifying The Following City Manager's Actions: 1) Approval To Increase The Standing Order With Nextel Communications For Citywide Radio And Cellular Telephone Services, In The Amount Of \$65,000; And 2) Approval And Execution Of An Agreement With Florida Department Of Transportation To Receive Annual Funding Of \$150,000 For Landscape Maintenance Of The Julia Tuttle Causeway, Pursuant To Resolution No. 2003-25295, Which Authorized The City Manager, Or His Designee To Select, Negotiate, Award And Reject All Bids, Contracts, Agreements, Purchase Orders, Change Orders And Grant Applications; Renew Existing Contracts Which May Expire; Terminate Existing Contracts As Needed; From The Last Commission Meeting On July 30, 2003, Until The First Regularly Scheduled Commission Meeting In September 2003, Subject To Ratification By The City Commission At Its First Regularly Scheduled Meeting In September 2003. (Page 191)  
(Procurement)  
**(Resolution)**
- C7J A Resolution Waiving By 5/7th Vote, The Formal Competitive Bidding Requirements And Authorizing The Mayor And City Clerk To Execute An Agreement With Ashbritt, Inc. For Disaster Planning And Recovery Services, Finding Such Waiver To Be In The Best Interest Of The City. (Page 232)  
(Public Works)  
**(Resolution)**

## **R5 - Ordinances**

- R5I An Ordinance Amending Chapter 122 Of The Miami Beach City Code Entitled "Concurrency Management," By Amending Section 122.8(d) Therein To Allow For The Adoption Of Programs Or Policies Allowing Exemptions From Transportation Concurrency Requirements For Small Businesses Which Impacts To The Existing Roadway Level Of Service Have Been Determined To Be Minor; Providing For Repealer, Codification, Severability And An Effective Date. **11:00 A.M. Second Reading, Public Hearing.** (Page 388)  
(Public Works)  
(First Reading On July 30, 2003)  
**(Item Summary & Commission Memorandum)**

## **R7 – Resolutions**

- R7F A Resolution Approving In Substantial Form, As Attached Hereto, On Second Public Reading, In Accordance With The Requirements Of Sections 163.3220 – 163.3243 Florida Statutes, Also Referred To As The Florida Local Government Development Agreement Act, A Development Agreement Between The City Of Miami Beach And The New World Symphony, A Not-For-Profit Florida Corporation, For The Design, Development And Construction Of The Surface Parking Lots, Bounded By 17th Street To The North, North Lincoln Lane To The South, Washington Avenue To The East And Pennsylvania Avenue To The West, For Construction Of An Approximately 50,000 Square Foot Educational, Performance And Internet Broadcast Facility With An Exterior Screen ("Soundspace"), And An Approximately 320-Space (+/-) Public Parking Garage Facility; Further Approving Said Development Agreement Subject To And Contingent Upon The Parties' Respective Bond Counsel's Review Of The Agreement And The Ground Lease Agreement Between The Parties, Said Review To Be On An Expedited Basis. **2:00 P.M. Second Reading, Public Hearing.** (Page 427)  
(Economic Development)  
**(LTC 207-2003 Re: New World Symphony  
Alternate Site – Frank Gehry Letter)**
- R7G A Resolution Approving In Substantial Form, As Attached Hereto, Following A Duly Noticed Public Hearing, A Ground Lease Agreement Between The City Of Miami Beach And The New World Symphony, A Not-For-Profit Florida Corporation, For The Lease Of An Approximately 50,000 Square Foot Parcel Of Land, Currently Improved With A Surface Parking Lot, In An Area As Shall Be Determined By The Mayor And City Commission Following Approval Of A Project Design (As Said Term Is Defined In The Development Agreement Between The Parties), Bounded By 17th Street To The North, North Lincoln Lane To The South, Washington Avenue To The East And Pennsylvania Avenue To The West; And Further Waiving, By 5/7ths Vote, The Competitive Bidding And Appraisal Requirements; As Required By Section 82-39 Of The Miami Beach City Code, Finding Such Waiver To Be In The Best Interest Of The City; Further Approving Said Ground Lease And The Development Agreement Between The Parties Subject To And Contingent Upon The Parties' Respective Bond Counsel's Review Of The Lease Agreement And The Development Agreement, Said Review To Be On An Expedited Basis. **2:00 P.M., Public Hearing.** (Page 524)  
(Economic Development)  
**(LTC 207-2003 Re: New World Symphony  
Alternate Site – Frank Gehry Letter)**

- R7H A Resolution Authorizing The City Administration To Submit An Updated Beachfront Management Plan To The State Of Florida, As Required By The Beachfront Management Agreement By And Between The City Of Miami Beach And The State's Board Of Trustees Of The Internal Improvement Trust Fund. (Page 649)

(Economic Development)  
**(Resolution Replacement Pages)**  
**(Item 39, Page 665 & Item 39, Page 669)**

- R7I A Resolution Authorizing The City Manager Or His Designee To Submit Grant Applications For The Following Funds: 1) The Florida Department Of Community Affairs, For Operations Liberty Shield Funds; 2) The Florida Department Of Community Affairs, Division Of Emergency Management For Community Emergency Response Team (CERT) Training; 3) Florida Department Of Law Enforcement, Byrne Grant Funds For E-Ticketing Initiative; 4) Office Of The Governor, Drug-Free Communities Program For Drug Eradication Programs; 5) To The Miami-Dade County Office Of Americans With Disabilities Act Administration For A Miami Beach Public Awareness Program ; While Leveraging Previously Appropriated Grant Funds As Needed; Further Appropriating The Grants If Approved And Accepted By The City And Authorizing The Execution Of All Necessary Documents Related To These Applications. (Page 720)

(Grants Management)  
**(Resolution)**

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING ADDITIONAL DESIGN SERVICES; FOR REAR EASEMENT WATERLINE RELOCATION EFFORTS, AS AMENDMENT NO. # 1, TO THE SCOPE OF SERVICES OF THE AGREEMENT, DATED JULY 18, 2001, WITH TETRA TECH WHS, FORMERLY KNOWN AS WILLIAMS, HATFIELD AND STONER, A/E CONSULTANT FOR THE NORMANDY ISLE RIGHT OF WAY (ROW) INFRASTRUCTURE IMPROVEMENT PROJECT AND FURTHER APPROPRIATING AN AMOUNT NOT TO EXCEED \$50,529, FROM SERIES 2000 WATER AND SEWER BOND FUNDS FOR SAID SERVICES, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A," THE FEE DETAIL, EXHIBIT "B," WATERLINE RELOCATION POLICY AND EXHIBIT "C," THE GEOGRAPHIC AREA OF SAID ADDITIONAL SERVICES.**

**WHEREAS**, the City has issued 1999 General Obligation (GO) Bonds, Series 2000 Stormwater Revenue Bonds and Series 2000 Water and Sewer Bonds to fund capital improvement projects to provide better service to the City's residents and visitors; and

**WHEREAS**, on September July 18, 2001, the Mayor and City Commission executed a Professional Services Agreement with Tetra Tech WHS Inc. (the Consultant ), formerly known as Williams, Hatfield And Stoner, for the Normandy Isle Right of Way Improvement Project; and

**WHEREAS**, on May 13, 2002, the GO Bond Oversight Committee approved the Normandy Isle Basis of Design Report (BODR); and

**WHEREAS**, on June 9, 2002, the Mayor and City Commission approved the Normandy Isle Basis of Design Report (BODR); and

**WHEREAS**, 450 private homes in the Normandy Isle Neighborhood receive water service from waterlines located in rear easements or access alleys behind the homes;

**WHEREAS**, Additional Design Services, in an amount not to exceed \$50,529, from Series 2000 Water And Sewer Bond Funds, are necessary to implement the approved design, permitting and bid and award services in order to facilitate the placement and reconnection of water meters to locations in sidewalks in front of homes; and

**WHEREAS**, the attached Amendment No. 1 reflects the result of negotiation and delineation of scope tasks, led by the Papas and Associates, which is more particularly described in Exhibit "A," The Fee Detail; Exhibit "B," The Waterline Relocation Policy; and Exhibit "C," the geographic area of said additional services; and

**WHEREAS**, the Administration recommends approving Additional Design Services; for Rear Easement Waterline Relocation Efforts, as Amendment No. # 1, to the Scope Of

Agenda Item C7B  
Date 9-10-03

Services of the Agreement, dated July 18, 2001, with Tetra Tech WHS, formerly known as Williams, Hatfield And Stoner, A/E Consultant for the Normandy Isle Right Of Way (Row) Infrastructure Improvement Project, and further appropriating an amount, not to exceed \$50,529, from Series 2000 Water And Sewer Bond Funds;

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA,** that the Mayor and City Commission approve Additional Design Services; for Rear Easement Waterline Relocation Efforts, As Amendment No. # 1, to the Scope Of Services of the agreement, dated July 18, 2001, with Tetra Tech WHS, formerly known as Williams, Hatfield And Stoner, A/E Consultant for the Normandy Isle Right Of Way (Row) Infrastructure Improvement Project and further appropriating an amount not to exceed \$50,529, from Series 2000 Water And Sewer Bond Funds for said services, as more particularly described in Exhibit "A," The Fee Detail, Exhibit "B," Waterline Relocation Policy and Exhibit "C," the Geographic Area Of Said Additional Services.

**PASSED, ADOPTED AND APPROVED this 10th day of September, 2003.**

**ATTEST:**

\_\_\_\_\_  
**MAYOR:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

 9-9-03  
\_\_\_\_\_  
City Attorney      Date

## **AMENDMENT NO. 1**

**TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN CITY OF MIAMI BEACH, FLORIDA, AND WILLIAMS, HATFIELD AND STONER, INC. FOR PROFESSIONAL LANDSCAPE ARCHITECTURAL AND ENGINEERING SERVICES FOR THE RIGHT OF WAY INFRASTRUCTURE IMPROVEMENTS PROGRAM NEIGHBORHOOD 4 – NORMANDY ISLE AND NORMANDIE SUD PURSUANT TO REQUEST FOR QUALIFICATIONS (RFQ 07- 00/01).**

This Amendment No. 1, dated as of \_\_\_\_\_, 2003, to that certain Agreement, dated July 18, 2001, captioned, "Professional Services Agreement Between the City of Miami Beach, Florida and Williams, Hatfield and Stoner, Inc. for Professional Landscape Architectural and Engineering Services for the Right of Way Infrastructure Improvements Program Neighborhood 4 – Normandy Isle and Normandie Sud", by and between the City of Miami Beach, Florida (CITY), and Williams, Hatfield and Stoner, Inc. (CONSULTANT) for professional services associated with the detail design, permitting and bidding / award services for utility improvements within the Normandy Isle and Normandie Sud neighborhood, for a not to exceed cost of **\$50,529**.

### **RECITALS**

**WHEREAS**, the Agreement provides for the detail design, permitting, bidding / award and construction administration services for various streetscape / landscape / utility improvements within the Normandy Isle and Normandie Sud neighborhood; and

**WHEREAS**, the planning effort for the Normandy Isle and Normandie Sud neighborhood has been completed and detail design activities initiated; and

**WHEREAS**, additional professional landscape architectural and engineering services for the detail design, permitting and bidding / award services for the relocation of existing utility improvements currently located along rear easements of approximately 450 properties to the front of the properties, is required to complement the design efforts for the entire neighborhood.

**WHEREAS**, professional landscape architectural and engineering services for the detail design, permitting and bidding / award services for utility improvements as shown on Exhibit A-1 for the design efforts for the entire neighborhood.

### **1. ABOVE RECITALS**

The above recitals are true and correct and are incorporated as a part of this First Amendment.

### **2. MODIFICATIONS**

The Agreement is amended as follows:

- 2.1. Agreement for Professional services, Article 12.1, DELETE Article 12.1 in its entirety and REPLACE it with the following Article 12.1:

"Consultant herein agrees to indemnify and hold harmless the City, and its officers and employees, from liabilities, damages, losses and costs, including, but not limited to,

reasonable attorneys' fees, to the extent caused by the negligence, recklessness, or intentionally wrongful conduct of the Consultant and other persons employed or utilized by the Consultant in the performance of the Agreement."

2.2. Schedule "A" entitled, "Scope of Services", is amended as follows:

2.2.1 DELETE Exhibit A and REPLACE it with the attached Exhibit A - 1.

2.2.2 Task 5 – Additional Services, first paragraph, DELETE the first paragraph in its entirety and REPLACE it with the following:

"Additional services to support the water main relocation design effort to be undertaken under Task 2 are described herein. Water main relocation efforts require that new water mains be installed within the public right-of-way (ROW), in lieu of their current location within rear easement along approximately 450 properties in the neighborhood. Therefore, it is necessary to abandon the water infrastructure located within the rear easement, relocate water meters to the right-of-way, and install new water service lines on private property from the relocated meter box to a connection at the abandoned meter box in the rear of the property.

It is the intent of these additional services that the CONSULTANT performs the following tasks:

- Site visits.
- Field evaluation to investigate and identify existing site conditions.
- Create list of affected properties by the proposed relocation of water service connections from existing rear easements to the public ROW.
- Prepare plan view drawings for each affected property (approximately 450 lots) that illustrates property lines, the property address, existing easements, the public ROW boundary, existing structures, fences, walls, trees, significant landscaping and the new water meter location and the proposed route for the service line from the right-of-way to the rear easement connection point. Exhibits B and C illustrate the base and typical format to be applied by each Consultant during the performance of their work effort.
- CONSULTANT shall coordinate its efforts with the City to notify each property owner and obtain property owner approval for the respective proposed water service route through its property. CONSULTANT shall make the necessary revisions to comply with any changes requested by the property owners and approved by the City."

2.3 Schedule B entitled Consultant Compensation, is amended as follows:

ADD the attached WHS TEAM Fee worksheet.

### 3. **OTHER PROVISIONS**

All other provisions of the Agreement, as amended, are unchanged.

4. **RATIFICATION**

The City and Consultant ratify the terms of the Agreement, as modified by this Amendment No.1. **IN WITNESS WHEREOF**, the parties hereto have caused this Amendment 1 to be executed in their names by their duly authorized officials as of the date first set forth above.

Attest

CITY OF MIAMI BEACH, FLORIDA

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

Witness

CONSULTANT

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Print Name and Title

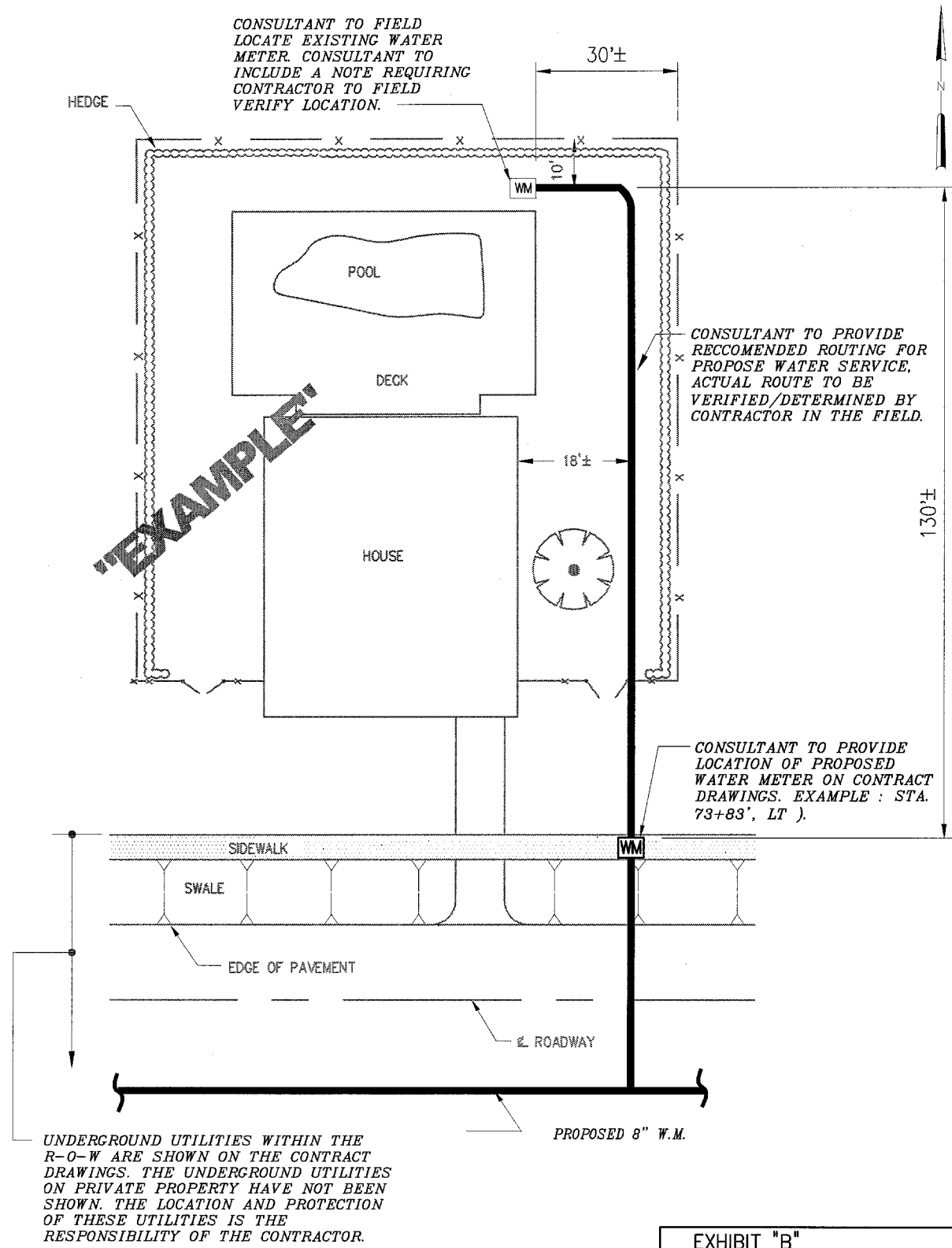
**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
City Attorney

7/8/03  
Date



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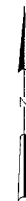
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CITY OF MIAMI BEACH

RIGHT-OF-WAY IMPROVEMENT PROGRAM
WATER SERVICE/METER RELOCATION PLAN
1465 BIARRITZ DRIVE

EXHIBIT "B"
SAMPLE-WATER SERVICE/ METER RELOCATION PLAN
NORMANDY ISLES/SUD
NEIGHBORHOOD No. 4
SHEET 14 of 450



(NORTH UP OR  
TO THE RIGHT)

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CITY OF MIAMI BEACH

RIGHT-OF-WAY IMPROVEMENT PROGRAM  
WATER SERVICE/METER RELOCATION PLAN

ADDRESS

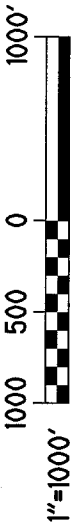
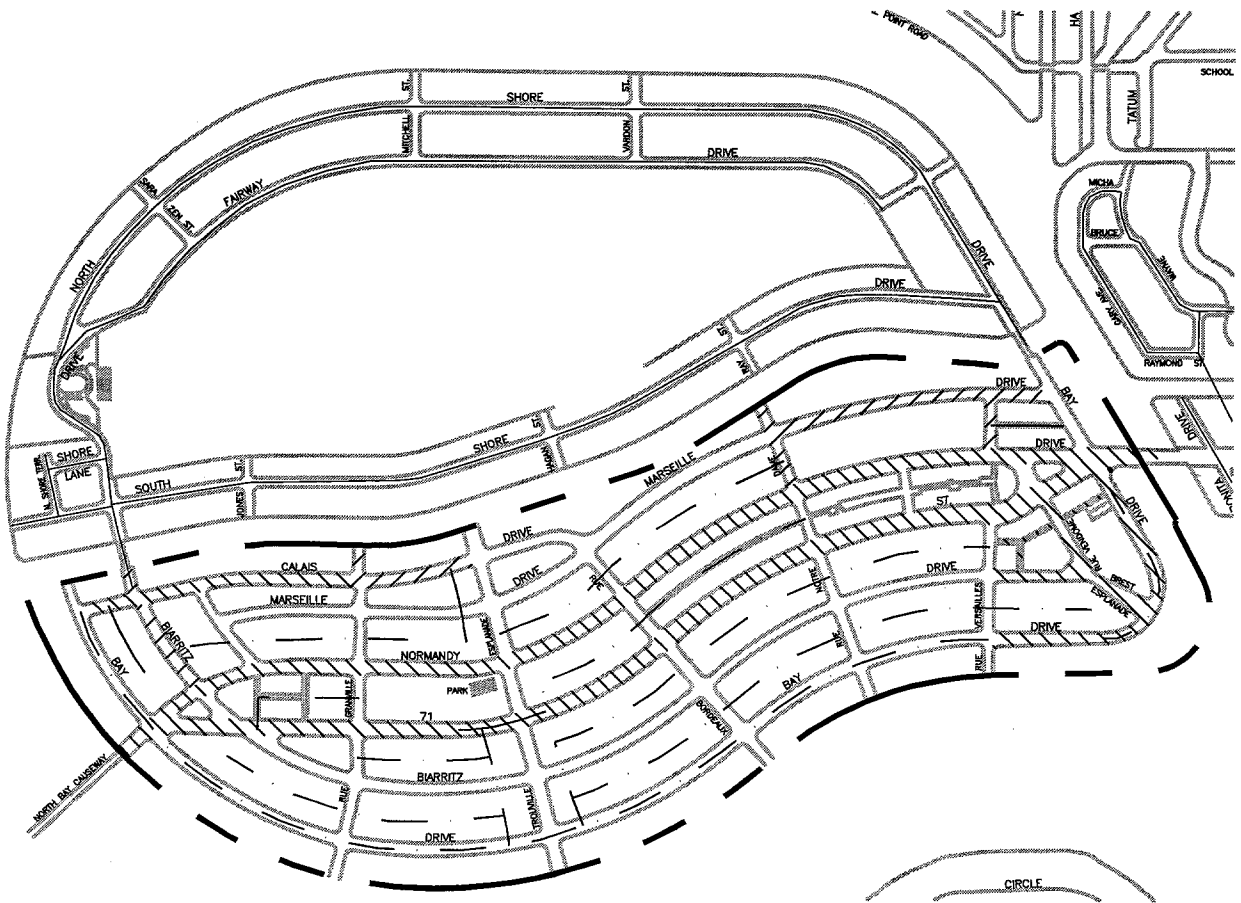
EXHIBIT 'C'  
BASE-WATER SERVICE/  
METER RELOCATION PLAN

NEIGHBORHOOD NAME  
NEIGHBORHOOD No. \_

SHEET \_ of \_



**EXHIBIT "A-1"**  
**NORMANDY ISLES**



**LEGEND:**

- BOUNDARY
- WATERMAIN
- BY OTHERS

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PERTAINING TO THE RANKING OF PROPOSALS RECEIVED PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 35-02/03, FOR THE PURCHASE OF A PARKING MANAGEMENT SOFTWARE; AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE FIRM OF T-2 SYSTEMS; AND IF NEGOTIATIONS ARE SUCCESSFUL, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH T-2 SYSTEMS; FURTHER APPROPRIATING \$184,000 FROM PARKING REVENUE BOND FUND 481, AND APPROVING THE ESTABLISHMENT OF A WORK ORDER FOR THE PROJECT.**

**WHEREAS**, the City's existing parking software is outdated and lacks the capabilities to meet the needs and expectations that are commonplace in today's "electronic" business world; and

**WHEREAS**, in the City's continued effort to improve parking services to residents and visitors alike, on March 25, 2003, the City issued Request for Proposals (RFP) No. 35-02/03 for the purchase of a state-of-the-art parking permit management system (the "RFP"); and

**WHEREAS**, one of the Administration's goals is to provide a wide range of parking services via the Internet, this would include sale/renewal of residential and business permits, access cards, parking smart cards, meter rentals, and a number of other services; and

**WHEREAS**, the Parking Department, in conjunction with the Information Technology Department, worked closely in the selection of the consultant and development of the scope of work and specifications; and

**WHEREAS**, Bier and Associates conducted a Needs Analysis of the Parking Department's Customer Service operations, including software/hardware capabilities; and

**WHEREAS**, Bier and Associates developed scope of work, technical specifications, system requirements, and assessed the numerous software products currently on the market in order to formulate a comprehensive package that will address the Parking Department's needs, the following are the general system requirements:

- Reduce our workload
- Help better manage our communications with customers
- Improve/Enhance our permit sales
- Reduce office traffic by allowing customers to apply for, as well as purchase, permits via the Internet
- Help us obtain useful reports for system analysis, problem resolution, overall efficiency, etc.
- Enhance our image to our customers
- Improve the planning and management of special events, the allocation of departmental resources, and financial transactions and invoices associated with special events
- Save time by incorporating a relational database that contains permits, vehicles, and customers (i.e. permit holders, persons responsible for permits, etc.); and

**WHEREAS**, on March 25, 2003, RFP No. 35-02/03 was issued, and on April 30, 2003, proposals from the following four (4) firms were received in Procurement: EDC Corp, Cardinal Tracking, Iparq and T-2 Systems; and

Agenda Item C 7F  
Date 9-10-03

**WHEREAS**, Letter to Commission (LTC) No. 127-2003, appointed the following individuals to serve as members of the evaluation committee:

Vivian Guzman, CMB Neighborhood Services and Chair of Committee  
William St. Laurent, Resident  
Gabriela Doria-Simpson, Transportation and Parking Committee  
Kenny Wright, CMB Parking Dept.  
James Stamos, CMB Parking Dept.  
James Sutter, CMB Internal Auditing  
Richard Zuech, CMB I.T. Department; and

**WHEREAS**, on July 23, 2003, the Evaluation Committee (the "Committee") met for the first time and short-listed three (3) of the four firms for presentations, the three firms selected for presentations were Cardinal Tracking, EDC and T-2 Systems; and

**WHEREAS**, the firm of EDC declined the invitation to present its proposal before the Committee; and

**WHEREAS**, on August 20, 2003, Cardinal Tracking and T-2 Systems were given one hour presentations which included demonstration of software, question and answers; and

**WHEREAS**, upon completion of presentations, and question and answer sessions, the Committee deliberated and ranked T-2 Systems, as the top-ranked firm, and Cardinal Tracking as second-ranked firm, the Committee scored and ranked each firm as follows:

T-2 Systems	592 points (7 first place votes)
Cardinal Tracking	544 points (7 second place votes) ; and

**WHEREAS**, the City Manager concurs with the Committee's recommendation.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission accept the recommendation of the City Manager pertaining to the ranking of proposals received pursuant to Request for Proposals (RFP) No. 35-02/03, for the purchase of a parking management software; authorize the Administration to enter into negotiations with the firm of T-2 Systems for the purchase of a parking management software, and if negotiations are successful, authorize the Mayor and City Clerk to execute an agreement with T-2 Systems; further appropriating \$184,000 from Parking Revenue Bond Fund 481, and approving the establishment of a work order for the Project.

**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2003.


**ATTEST:**


\_\_\_\_\_  
City Clerk

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\_\_\_\_\_  
Mayor

**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
\_\_\_\_\_  
City Attorney

  
\_\_\_\_\_  
Date

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RATIFYING THE FOLLOWING CITY MANAGER ACTIONS: 1) APPROVAL TO INCREASE THE STANDING ORDER WITH NEXTEL COMMUNICATIONS FOR CITYWIDE RADIO AND CELLULAR TELEPHONE SERVICES, IN THE AMOUNT OF \$65,000; AND 2) APPROVAL AND EXECUTION OF AN AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION TO RECEIVE ANNUAL FUNDING OF \$150,000 FOR LANDSCAPE MAINTENANCE OF THE JULIA TUTTLE CAUSEWAY, PURSUANT TO RESOLUTION NO. 2003-25295, WHICH AUTHORIZED THE CITY MANAGER, OR HIS DESIGNEE TO SELECT, NEGOTIATE, AWARD AND REJECT ALL BIDS, CONTRACTS, AGREEMENTS, PURCHASE ORDERS, CHANGE ORDERS AND GRANT APPLICATIONS; RENEW EXISTING CONTRACTS WHICH MAY EXPIRE; TERMINATE EXISTING CONTRACTS AS NEEDED; FROM THE LAST COMMISSION MEETING ON JULY 30, 2003, UNTIL THE FIRST REGULARLY SCHEDULED COMMISSION MEETING IN SEPTEMBER 2003, SUBJECT TO RATIFICATION BY THE CITY COMMISSION AT ITS FIRST REGULARLY SCHEDULED MEETING IN SEPTEMBER 2003.

**WHEREAS**, the Mayor and City Commission at its July 30, 2003 meeting, adopted Resolution No. 2003-25295, which authorized the City Manager, or his designee, to sign all contracts, agreements, purchase orders, change orders, and grant applications; renew any existing contracts, for an appropriate period of time; terminate existing contracts, as needed, from the last Commission meeting on July 30, 2003, until the first regularly scheduled Commission meeting in September 2003, subject to ratification by the City Commission at its first regularly scheduled meeting in September 2003; and

**WHEREAS**, the City Manager exercised the authority granted to him by the City Commission by signing a Memorandum of Agreement on behalf of the City Commission with the Florida Department of Transportation on August 29, 2003. Said Agreement was a renewal of an existing contract the City has in place with FDOT for the ongoing landscape maintenance of the Julia Tuttle Causeway for which the City is paid \$150,000 annually; and

**WHEREAS**, Resolution No. 2000-23922, dated May 24, 2000, authorized the City to enter into the current agreement and subsequent renewals or amendments. The current agreement expired on August 31, 2003, and to avoid a lapse in payment of \$150,000 to the City, the Manager signed the agreement on behalf of the City Commission; and

**WHEREAS**, the annual compensation from FDOT of \$150,000 pays for the total cost of the agreement with the private contractor and plant material replacement as well as the time required for supervision of the project; and

Agenda Item C7G  
Date 9-10-03

**WHEREAS**, to ensure the Julia Tuttle Causeway landscaping continues to be maintained at the high standards set by the City of Miami Beach, and to receive the annual funding of \$150,000 from FDOT that is necessary to support these maintenance standards, the City Commission is asked to ratify the City Manager's approval of the new Fiscal Year 2003/2004 Memorandum of agreement which is to commenced on September 1, 2003 and conclude on August 31, 2004, with an option for renewal for two years, on a year- to-year basis; and

**WHEREAS**, the City Commission at its October 23, 2002 meeting adopted Resolution No. 2002-25027, which authorized the Administration to issue a standing order to Nextel Communications, pursuant to State of Florida Contract No. 725-330-98-1, in the amount of \$120,000 for Citywide Radio and Cellular Telephone Services; and

**WHEREAS**, the City's Information Technology (IT) Department requested a change order increase in the amount of \$65,000, which brought the total cost to \$185,000; and

**WHEREAS**, the City Manager authorized the increase in order to ensure that the City's radio and cellular telephone services were not interrupted.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission ratify the following City Manager actions: 1) approval to increase the standing order with Nextel Communications for citywide radio and cellular telephone services, in the amount of \$65,000; and 2) approval and execution of an agreement with Florida Department of Transportation to receive annual funding of \$150,000 for landscape maintenance of the Julia Tuttle Causeway, pursuant to Resolution No. 2003-25295, which authorized the City Manager, or his designee to select, negotiate, award and reject all bids, contracts, agreements, purchase orders, change orders and grant applications; renew existing contracts which may expire; terminate existing contracts as needed; from the last commission meeting on July 30, 2003, until the first regularly scheduled commission meeting in September 2003, subject to ratification by the city commission at its first regularly scheduled meeting in September 2003.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

**ATTEST:**

\_\_\_\_\_  
**MAYOR:**

\_\_\_\_\_  
**CITY CLERK**

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**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

  
\_\_\_\_\_  
City Attorney      Date

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, WAIVING BY 5/7ths VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENTS AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH ASHBRIIT, INC. FOR DISASTER PLANNING AND RECOVERY SERVICES, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY.**

**WHEREAS**, in the event of a major disaster, such as a hurricane, the City would lack sufficient resources to undertake recovery operations; and

**WHEREAS**, while assistance is available from Miami-Dade County, State and Federal governments, it is not sufficient to restore a community that has suffered a catastrophic disaster; and

**WHEREAS**, the City currently has an agreement for disaster recovery services with Grubbs Emergency Services, Inc., ("Grubbs"), and adding a second company would provide the City additional primary or back-up capability and flexibility in the event of a major disaster; and

**WHEREAS**, the firm of AshBritt, Inc. ("AshBritt") has provided the City with pricing that is more competitive than Grubbs, and is a premier national company with an outstanding record of performance in disaster recovery operations; and

**WHEREAS**, the benefits of contracting with AshBritt for disaster planning and recovery services are as follows:

1. The City of South Miami and the Town of Palmetto Bay are the only AshBritt clients, therefore, AshBritt is not overly saturated in the Miami-Dade County area;
2. AshBritt's pricing is 20% less than that of the current Miami Beach disaster response contractor, Grubbs;
3. AshBritt has agreed to add language to the City's contract that allows for a potential reduction in contract price for a minor storm, if market conditions warrant the action. This clause, as recommended by FEMA, protects the City from over pricing in a minor storm;
4. AshBritt maintains a fleet of company owned grapple trucks designed specifically for debris collection equipment to lessen the dependence on subcontractor equipment and personnel;
5. AshBritt will provide annual disaster recovery preparedness training for the City and its staff to ensure that City employees are aware of the current disaster recovery rules and regulations;
6. AshBritt has three additional divisions within the corporate structure (Engineering, Environmental Services, and Waste Services) that support the Disaster Response Division;
7. AshBritt is domiciled in South Florida (Pompano Beach);

**Agenda Item** C7J  
**Date** 9-10-03



8. AshBritt maintains a full time technical assistance staff to assist the City with State and Federal grant issues related to disaster recovery programs;
9. AshBritt is financially stable and is diversified in several profitable businesses (engineering, environmental services, commercial solid waste collection) that are complimentary to the disaster response division; and

**WHEREAS**, in the event of a declared emergency, and the emergency is of sufficient magnitude that the City needs to utilize disaster related services, those services are generally subject to reimbursement by the County, State and Federal governments; and

**WHEREAS**, the Administration would recommend to the Mayor and City Commission that it is in the best interest of the City to waive the competitive bidding requirement, by 5/7ths vote, providing such waiver to be in the best interest of the City.

**NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, that the Mayor and City Commission waive, by 5/7ths vote, the formal competitive bidding requirements and authorize the Mayor and City Clerk to execute an agreement with AshBritt, Inc. for disaster planning and recovery services, finding such waiver to be in the best interest of the City.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

**ATTEST:**

\_\_\_\_\_  
**MAYOR:**

\_\_\_\_\_  
**CITY CLERK**

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**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

 9/8/03  
City Attorney Date

**CITY OF MIAMI BEACH  
COMMISSION ITEM SUMMARY**



**Condensed Title:**

An Ordinance amending City Code Chapter 122, "Concurrency Management," to allow for the adoption of programs or policies allowing exemptions from transportation concurrency requirements for small businesses whose impacts to the existing roadway level of service (LOS) have been determined to be minor; providing for repealer, codification, severability and an effective date.

**Issue:**

Shall the City amend the City Code to allow for a small business exemption from transportation concurrency requirements?

**Item Summary/Recommendation:**

As requested by the Land Use and Development Committee, the Administration and the Concurrency Ad Hoc Committee recommend that the City Commission consider adopting policies and programs which would allow small businesses (in existing buildings/structures), whose trip generation and site demand have been determined to be minor in nature, either to be exempted from concurrency, or to satisfy transportation concurrency requirements through mitigation fee payment, based on a diminishing sliding scale. Such exemption requires amendment to the City Code. Administration consultation with the Florida Department of Community Affairs (DCA) has determined that such exemptions are possible, as long as they do not contribute to deterioration of the adopted level of service (LOS "D"); or diminish the amount of funds needed to implement the Municipal Mobility Plan (MMP) projects. Such exemption, if adopted, would be retroactive to January 1, 2003, for those businesses that qualify as small businesses. They would be reevaluated to determine if they are eligible for a full or partial refund of the traffic portion of the mitigation fee paid. In a typical year, there are an average of 72 applicants. To date, in calendar year 2003, 15 of the 79 applicants would qualify for the small business exemption. The reduction in concurrency mitigation fees collected from these 15 businesses would be \$20,432.58 of the \$1,574,765.40 collected during calendar year 2003. The Administration recommends approval.

**Advisory Board Recommendation:**

Land Use and Development Committee met on April 21, 2003 and the Planning Board met on July 29, 2003. Both boards made a motion to accept the proposal for a small business exemption, retroactive to January 1, 2003, for those businesses that qualify as small businesses.

**Financial Information:**

Source of Funds:				
		Amount	Account	Approved
	1			
	2			
	3			
	4			
<div>Finance Dept.</div>	Total	\$20,432.58	Estimate of mitigation fees collected from small businesses	

**City Clerk's Office Legislative Tracking:**

Henry Johnson

**Sign-Offs:**

Department Director	Assistant City Manager	City Manager

AGENDA ITEM R5I

DATE 9-10-03

# CITY OF MIAMI BEACH


CITY HALL 1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139  
www.miamibeachfl.gov



## COMMISSION MEMORANDUM

**To:** Mayor David Dermer and  
Members of the City Commission

**Date:** September 10, 2003

**From:** Jorge M. Gonzalez  
City Manager 

**SECOND READING**

**Subject: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 122 OF THE MIAMI BEACH CITY CODE, ENTITLED "CONCURRENCY MANAGEMENT," BY AMENDING SECTION 122-8(d) THEREIN, TO ALLOW FOR THE ADOPTION OF PROGRAMS OR POLICIES ALLOWING EXEMPTIONS FROM TRANSPORTATION CONCURRENCY REQUIREMENTS FOR SMALL BUSINESSES WHICH IMPACTS TO THE EXISTING ROADWAY LEVEL OF SERVICE HAVE BEEN DETERMINED TO BE MINOR; PROVIDING FOR REPEALER, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

### ADMINISTRATION RECOMMENDATION

Adopt the Ordinance

### ANALYSIS

Based on challenges faced by small businesses attempting to open in the City, within existing buildings and structures, along with the cost of complying with the City's concurrency requirements for traffic circulation and roadway level of service (LOS), the Administration and the Ad Hoc Citizens Concurrency Advisory Committee recommend the following: That the City consider adopting policies and programs which would allow small businesses, whose trip generation and site demand have been determined to be minor in nature, either to be exempted from concurrency, or to satisfy transportation concurrency requirements through mitigation fee payment based on a diminishing sliding scale.

In order to adopt such a program the City Commission must amend the current code to provide the enabling authority. The attached ordinance provides the necessary authority for the City Commission to adopt a later resolution (at the second reading of this ordinance) with specific program elements.

In developing specific exemption program elements it was determined that the shift of concurrency mitigation fees from small businesses to larger development projects is not permitted by the Florida Department of Community Affairs (DCA). Issues involving changes to adopted concurrency management systems and/or levels of service require review and approval by DCA.

After consultation with DCA, the Administration has determined that the adoption of a small business exemption program would be compatible with state law; should not be detrimental to the ongoing implementation of the Miami Beach Municipal Mobility Plan (MMP), provided that the level of MMP mitigation project funding is not reduced or diminished by the adoption of said programs or policies; and the City-adopted LOS "D" for the Miami Beach Transportation Concurrency Management Areas (TCMAs) is maintained and not degraded.

On April 21, 2003, the Land Use and Development Committee made a motion to accept the proposal for a small business exemption, retroactive to January 1, 2003, for those businesses that qualify as small businesses. Such businesses will be reevaluated to determine if they are eligible for a full or partial refund of the traffic mitigation portion of the fee. In a typical year, there is an average of 72 applicants. To date, in calendar year 2003, 15 of the 79 applicants would qualify for the small business exemption. The reduction in concurrency mitigation fees collected from these 15 businesses would be \$20,432.58 of the \$1,574.765.40 collected during calendar year 2003.

The following items will comprise the program elements of the small business exemption that can be adopted by the City Commission at the second reading of the attached ordinance.

### **RECOMMENDATION**

1. For the purpose of transportation concurrency requirements, small businesses in an existing building or structure shall be defined as any commercial business that generates less than 100 trips per day.
2. Exempt the above-defined small businesses from the traffic concurrency mitigation fees only. State Statutes do not allow for exemptions as to potable water, sewer, solid waste, drainage, and parks/recreation concurrency requirements.
3. For businesses generating between 100 and 150 trips per day, concurrency fees will be assessed on a diminishing sliding scale. The fee will be calculated by multiplying the sliding scale percentage against the difference of the last legal use and the total trips generated from that land use. There will be no fee waiver beyond 150 trips per day.
4. Any business expanding beyond 150 trips per day will only receive credit for the last legal use of the property prior to small business exemption.
5. Based on the foregoing analysis, the staff recommends that the City Commission consider approval of the amendment to the Concurrency Management System Ordinance on first reading.

*September 10, 2003*  
*Commission Memorandum*  
*Proposed Exemptions to Small Businesses*  
*Page 3*

On July 29, 2003 The Planning Board made a motion to accept the proposal for a small business exemption, retroactive to January 1, 2003, for those businesses that qualify as small businesses.

F:\WORK\STRA\HENRY\Small Business Memo & Ord5.doc

CITY OF MIAMI BEACH  
Office of the City Manager  
Letter to Commission No. 207-2003



To: Mayor David Dermer and  
Members of the City Commission

Date: September 8, 2003

From: Jorge M. Gonzalez  
City Manager

Subject: **NEW WORLD SYMPHONY - ALTERNATE SITE - FRANK GEHRY LETTER**

In connection with items R7F and R7G on the September 10, 2003 City Commission Agenda relative to the New World Symphony, attached please find a letter from Gehry Partners, LLP regarding the Alternative Site also known as TOPA Lot. The letter summarizes Frank Gehry's findings and the limitations imposed by the alternate site.

If you have any questions, please contact me.

JMG\CMC\rar

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c: Christina M. Cuervo, Assistant City Manager  
David Kelsey  
Supplemental Information – 9/10/03 City Commission Agenda

Agenda Item R7F + R7G  
Date 9-10-03

## Gehry Partners, LLP

Frank Gehry  
Jim Glymph  
Randy Jefferson  
  
Terry Bell  
Edwin Chan  
George Metzger  
Marc Salette  
Craig Webb

September 5, 2003

Howard Herring  
President and CEO  
New World Symphony  
541 Lincoln Road  
Miami Beach, FL 33139

Via E-mail      howardh@nws.org

Dear Howard,

After careful consideration of the documents I received under the David Kelsey cover letter, I must tell you that limitations of the alternate site make it unacceptable for the following reasons:

1. The visual impact of a structure sited within the Master Plan area is powerful. The building and surrounding developments will be visible from Lincoln Road, Washington Avenue, 17th Street, and the Convention Center. In contrast, the alternate site hides Soundspace from Washington Avenue and Lincoln Road.
2. The alternate site forces Soundspace between two buildings, restricting the number of facades, a needless limitation given the several areas we are considering on the Master Plan site.
3. On the alternate site, access to the building would be constrained, an especially important fact in light of your desire to make the structure an integral part of the Miami Beach experience for residents and visitors.
4. There should be a rational nexus between Soundspace and Lincoln Road. The program for Soundspace calls for audiences to move directly from Lincoln Road to Soundspace performances. Such an impulse decision demands proximity. Likewise, we want the audience to spill onto Lincoln Road after performances. Such a natural flow of foot traffic demands near proximity.
5. There is a functional correlation between Soundspace and the Lincoln Theatre. As I understand the program, the Lincoln Theatre will still be in daily use for rehearsals. Movement of musicians and instruments across a major thoroughfare to the alternate site makes little sense when the Master Plan site has only Lincoln Lane as a minor barrier. Soundspace is intended to be an extension of the New World Symphony campus. A similar consideration is the size of Soundspace as it is defined. At the further distance of the alternate site, the building will likely be forced to accommodate program functions currently housed in the Lincoln Theatre. Increased size will mean increased construction cost.
6. The screen on the side of Soundspace will be an integral part of the architecture as well as a focal point for the public space surrounding the building. On the alternate site, such a grand public statement is impossible because there is no outdoor public viewing area.

## Gehry Partners, LLP

7. We recognize that parking is a major issue in Miami Beach as it is in all urban areas. I have reviewed the Master Plan and find that it addresses the future parking needs of the City. My experience tells me that the fears about parking indicated by the alternate site material are unwarranted.

As you know from our past conversations, I can only undertake a small fraction of the projects proposed to me. I chose Soundspace because it is building that will influence the future of music, support the important work of the New World Symphony, and have a lasting impact on the City of Miami Beach. You and the City of Miami Beach are about to make a major investment in the project. You should give it every chance for success. That begins by giving me the latitude to select a building site as the Master Plan allows, not in a restricted area proposed in the alternate plan.

Best,



Frank Gehry  
Architect



throughout the beachfront area during nesting season to identify new sea turtle nests. All identified sea turtle nests are carefully relocated to a protected hatchery area. Relocated nests are closely monitored throughout the incubation period and hatchlings are released to the open water at night.

- v. Beach Maintenance Program: Beach maintenance throughout the subject property is performed by the Miami-Dade County Parks and Recreation Department. The County's beach cleaning and maintenance services are performed in accordance with the Beach Cleaning Operations Permit approved by the Florida Department of Environmental Protection and the Fish and Wildlife Conservation Commission. Additionally, beachfront concession operators and special event promoters are required to clean up during and at the conclusion of each day or event respectively.

- 23. A description of management needs and problems for the property:
  - a. None at this time, except for those items already addressed in this Management Plan, and in the attached Rules and Regulations for Beachfront Concession Operations.
- 24. Identification of adjacent land uses that conflict with the planned use of the property:
  - a. Not applicable.
- 25. A description of legislative or executive directives that constrain the use of such property:
  - a. Florida statute 161.56 provides that all temporary and permanent construction must be permitted by the Department of Environmental Protection Division of Beaches and Coastal Systems, pursuant to Rule 16B-33 of the Florida Administrative Code.
  - b. Florida statute 161.58 provides that all vehicular traffic, except that which is necessary for cleanup, repair, or public safety is prohibited on the beachfront. The only authorized exception to this policy is that in accordance with the City's Second Amended and Restated Rules and Regulations for beachfront concession operations, City approved concessionaires may access the beachfront area to service their concession operations, provided that they remove their vehicles immediately thereafter. No parking or storage of concession vehicles is permitted on the beachfront.
- 26. Finding regarding whether each planned use complies with the State Lands Management Plan, particularly whether such uses represent "balanced public utilization", specific agency statutory authority, and other legislative or executive constraints:

Agenda Item

R7H

Date

9-10-03

1. Simon Cruz, City Commissioner, City of Miami Beach
2. Stuart Blumberg, President, Greater Miami & the Beaches Hotel Association
3. Vivian Rodriguez, Parks and Recreation Director, Miami-Dade County
4. Stuart Reed, Marine Authority Chairman
5. Sidney Goldin, Resident, City of Miami Beach
6. Humberto Alonzo, South Florida Water Management District Representative
7. Jose Damien, Asset Manager, City of Miami Beach

37. The advisory group shall conduct at least one public hearing within the county in which the Property is located.

- a. The Advisory Group met and held a public hearing on August 20, 2003 at 4:00 PM in the City Commission Chambers, Miami Beach City Hall, 1700 Convention Center Drive, Miami Beach, Florida.

38. Notice of public hearing

- a. The public meeting of the Advisory Group was noticed through the following means:
  - i. Posted on the Property.
  - ii. Advertised in a paper of general circulation - Miami Herald, Beach Neighbors Section, 08/17/03).
  - iii. Announced at a scheduled meeting of local governing body before actual public hearing (Miami Beach City Commission Meeting of July 30, 2003).

39. Summary of Advisory Group meeting

Summary minutes of the Advisory Group's August 20, 2003, meeting and public hearing are attached hereto as **Exhibit E**.

40. Availability of management prospectus required by paragraph (9)(d) shall be available for the 30 day period prior to public hearing.

- a. As required by paragraph (9)(d), the Prospectus is available for review.

41. Conformance with appropriate State land management plan, including:

42. A statement of the purpose for which the lands were acquired, the projected use, and the Statutory authority for such uses.

- a. The subject lands are managed by the City pursuant to Management Agreement No. 3595, however, ownership of the lands was retained by the State of Florida.
- b. The subject property will continue to be used as a public beach area, which hosts more than 7,000,000 visitors each year, engaged in multiple recreational activities including traditional saltwater beach recreational activities, bicycle and

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT GRANT APPLICATIONS FOR THE FOLLOWING FUNDS: 1) THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, FOR OPERATIONS LIBERTY SHIELD FUNDS; 2) THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, DIVISION OF EMERGENCY MANAGEMENT FOR COMMUNITY EMERGENCY RESPONSE TEAM (CERT) TRAINING; 3) FLORIDA DEPARTMENT OF LAW ENFORCEMENT, BYRNE GRANT FUNDS FOR E-TICKETING INITIATIVE; 4) OFFICE OF THE GOVERNOR, DRUG-FREE COMMUNITIES PROGRAM FOR DRUG ERADICATION PROGRAMS; 5) MIAMI-DADE COUNTY OFFICE OF ADA COORDINATION FOR ELIGIBLE CITY ADA PROJECTS; WHILE LEVERAGING PREVIOUSLY APPROPRIATED GRANT FUNDS AS NEEDED; FURTHER APPROPRIATING THE GRANTS IF APPROVED AND ACCEPTED BY THE CITY AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS RELATED TO THESE APPLICATIONS.**

**WHEREAS,** the Administration requests retroactive approval to submit a grant application in the amount of \$50,679.96 to the Florida Department of Community Affairs through funds made available from the United States Department of Justice Operation Liberty Shield Reimbursement Program; and

**WHEREAS,** the program reimburses local law enforcement agencies for overtime costs associated with the heightened security measures implemented during the March 17, 2003 through April 16, 2003 and the May 20, 2003 through May 30, 2003 federal code orange alerts, and;

**WHEREAS,** the City of Miami Beach Police Department seeks reimbursement of funds for eligible costs incurred during this period, and;

**WHEREAS,** matching funds are not required for this program, and;

**WHEREAS,** the Administration requests retroactive approval to apply to the Florida Department of Community Affairs, Division of Emergency Management for grant funds in the amount of \$9,633.75 made available through the 2003-2004 Community Emergency Response Team Program (CERT), and;

**WHEREAS,** the Community Emergency Response Team Program

Agenda Item R 7I  
Date 9/10/03

(CERT) program provides a structured opportunity for citizens to augment local emergency responsibilities, and;

**WHEREAS**, the funds would be used to off-set City costs associated with providing CERT training that is currently coordinated by the Neighborhood Services Department, and;

**WHEREAS**, no matching funds are required of this programs, and;

**WHEREAS**, Administration requests retroactive approval to submit a grant application in the amount of \$32,852 to the Florida Department of Law Enforcement, BYRNE grant program, and;

**WHEREAS**, the program purpose is to promote the States' efforts to prevent and control crime, violence and drug abuse and to improve criminal justice systems, and;

**WHEREAS**, the City's request for funds will be used for development, infrastructure, and hardware and software procurement to support an electronic uniform citation system, and;

**WHEREAS**, this initiative will reduce the amount of time that a police officer takes to issue a citation, thus, allowing for more neighborhood services such as patrol, quality of life initiatives, and resource networking and coordination, and;

**WHEREAS**, the required match of \$8,213 will come from funds made available through the Police Department Law Enforcement Trust Funds, and;

**WHEREAS**, the Administration requests approval to submit a grant application in the amount of \$44,837, to the Governor's Office, for grant funds appropriated in FY 2003-2004 Florida's Drug-Free Communities program; and

**WHEREAS**, the Florida Drug Free Communities program was created to provide funding for Drug Prevention Programs, which focuses on reducing under-age drinking, has proven to be successful. In renewing the program, the City plans to extend our enforcement / prevention efforts to the North Beach communities, and;

**WHEREAS**, the Administration requests approval to submit a grant application in the amount of \$61,254.08, made available through Parking Fines Monies administered by the Miami-Dade County Office of ADA Coordination, and;

**WHEREAS,** the Parking Fines Money are to be used to fund programs that improve accessibility and equal opportunity to qualified physically disabled persons and to provide funds to conduct public awareness programs concerning physically disabled persons, and;

**WHEREAS,** the City proposes to use the grant funds for Citywide curb ramps, sign language interpretive services, staff TTY orientation and mobility training, advertisements for the County's emergency evacuation program for people with disabilities and City of Miami Beach ADA grievance policy advertisements as well other relevant ADA-related advertisements and projects, and ;

**WHEREAS,** the required match in the amount of \$61,254.08 has been made available through City funds and General Obligation Bond funds as previously appropriated,

**NOW, THEREFORE, BE IT DULY RESOLVED THAT THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH** authorize the City Manager or his designee to apply and accept/support the following grant applications: 1) The Florida Department Of Community Affairs, For Operations Liberty Shield Funds; 2) The Florid Department Of Community Affairs, Division Of Emergency Management For Community Emergency Response Team (Cert) Training; 3) Florida Department Of Law Enforcement, Byrne Grant Funds For E-Ticketing Initiative; 4) Office Of The Governor, Drug-Free Communities Program For Drug Eradication Programs; 5) Miami-Dade County Office Of ADA Coordination For Eligible City ADA Projects; While Leveraging Previously Appropriated Funds As Needed; Further Appropriating The Grants If Approved And Accepted By The City And Authorizing The Execution Of All Necessary Documents Related To These Applications.

**PASSED and ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2003.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

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**APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION**

 9/8/03  
City Attorney Date